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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION VREC'D  
EPA HEADQUARTERS  
HEARINGS CLERK  
87 SEP 17 P 1:21

IN THE MATTER OF: )  
 ) DOCKET NO. RCRA-V-W-86-R-45  
GARY DEVELOPMENT COMPANY )  
GARY, INDIANA )  
 )  
 ) JUDGE GREENE  
EPA I.D. NO. IND 077 005 916 )  
 )

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REQUEST FOR SUBPOENAS

Pursuant to 40 C.F.R. §22.37(f), Complainant respectfully requests the Presiding Officer to issue subpoenas pursuant to Section 3008(b) for the attendance and testimony of witnesses and the production of documents as follows:

1. Subpoenas duces tecum for all records involved in, or which reflect, transportation of hazardous waste to the Gary Development Company, to be served upon U.S.S. Lead Refinery, Inc., and LTV Steel Company; and
2. Subpoenas ad testificandum for the custodians of the above records.

These subpoenas are necessary so that Complainant may make the most accurate photocopies possible of the records and that the Presiding Officer may view the originals. The evidence is relevant to the proceeding inasmuch as it conclusively establishes that Respondent accepted wastes which are the subject matter of this action.

Respectfully submitted,

 16 SEP 1987  
Marc M. Radell  
Assistant Regional Counsel

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION V

IN THE MATTER OF:	)	
	)	DOCKET NO. RCRA -V-W-86-R-45
	)	
GARY DEVELOPMENT COMPANY	)	
GARY, INDIANA	)	JUDGE GREENE
	)	
	)	
EPA I.D. NO. IND 077 005 916	)	
_____	)	

SUBPOENA DUCES TECUM AND  
SUBPOENA AD TESTIFICANDUM

TO: Custodian of Records  
U.S.S. LEAD REFINERY, INC.  
5300 Kennedy Avenue  
East Chicago, Indiana 46312  
Attention: Richard C. Liscum

YOU ARE HEREBY COMMANDED, pursuant to Title 42, United States Code,  
Section 6928(b) [Section 3008(b) of the Resources Conservation  
and Recovery Act of 1976] TO APPEAR IN PERSON at the following  
place:

TIME AND DATE: \_\_\_\_\_

PLACE: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

YOU ARE COMMANDED FURTHER TO TESTIFY then and there and upon oath and MAKE TRUTHFUL RESPONSE to all lawful inquiries and questions then and there put to you on behalf of the United States Environmental Protection Agency, and TO REMAIN IN ATTENDANCE until expressly excused by the EPA attorney conducting the proceeding.

YOU ARE COMMANDED FURTHER TO BRING WITH YOU at the above stated place and time, then and there to produce for inspection, admission into evidence and/or copying, all records involved in, or which reflect, transportation of hazardous waste from your facility to the Gary Development Company, including all manifests for such wastes signed by representatives of Gary Development Company.

FAILURE TO COMPLY WITH THIS SUBPOENA MAY RESULT IN A COURT ACTION AGAINST YOU.

Issued at Washington, D.C., this \_\_\_\_\_ day of \_\_\_\_\_, 1987.

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J.F. Greene  
Administrative Law Judge  
U.S. Environmental Protection Agency  
Washington, D.C. 20460

EPA, Region V attorney contact:

Marc M. Radell  
Assistant Regional Counsel  
U.S. Environmental Protection Agency  
Region V, (5CS-TUB-3)  
230 South Dearborn Street  
Chicago, IL 60604  
(312) 886-7948

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION V

IN THE MATTER OF	)	
	)	DOCKET NO. RCRA-V-W-86-R-45
	)	
GARY DEVELOPMENT COMPANY	)	
GARY, INDIANA	)	JUDGE GREENE
	)	
	)	
EPA I.D. NO. IND 077 005 916	)	
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SUBPOENA DUCES TECUM AND  
SUBPOENA AD TESTIFICANDUM

TO: Custodian of Records  
LTV STEEL COMPANY  
LTV Steel Building  
25 West Prospect Avenue  
Cleveland, Ohio 44115  
Attention: Lee E. Larson  
Law Department

YOU ARE HEREBY COMMANDED, pursuant to Title 42, United States  
Code, Section 6928(b) [Section 3008(b) of the Resource Conservation  
and Recovery Act of 1976] TO APPEAR IN PERSON at the following  
place:

TIME AND DATE: \_\_\_\_\_

PLACE: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

YOU ARE COMMANDED FURTHER TO TESTIFY then and there and upon oath and MAKE TRUTHFUL RESPONSE to all lawful inquiries and questions then and there put to you on behalf of the United States Environmental Protection Agency, and TO REMAIN IN ATTENDANCE until expressly excused by the EPA attorney conducting the proceeding.

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J.F. Greene  
Administrative Law Judge  
U.S. Environmental Protection Agency  
Washington, D.C. 20460

EPA, Region V attorney contact:


Marc M. Radell  
Assistant Regional Counsel  
U.S. Environmental Protection Agency  
Region V, (5CS-TUB-3)  
230 South Dearborn Street  
Chicago, IL 60604  
(312) 886-7948

Gary Development Co.  
V-W-86-R-45

CERTIFICATE OF SERVICE

I hereby certify that I caused the original of the foregoing Request for Subpoenas to be mailed by U.S. EPA pouch mail to the Presiding Officer and true and accurate copies of it to be filed with the Regional Hearing Clerk and mailed by U.S. Mail, First Class, to counsel for Respondent.

Dated this 16th day of September, 1987.

  
\_\_\_\_\_  
Marc M. Radell  
Assistant Regional Counsel